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ARMAND A. JACKSON
P.O. BOX 705 # T-64343 SHASTA A-105 LOW
SOLEDAD, CA 93960-0705

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE

ARMAND A. JACKSON
PLAINTIFF
VS.
OFFICER LEDWITH, et al.,
DEFENDANTS.

RICHARD W. WIERING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.
NO. C 05-2620 JF (PR)
DEFINITIONS AND INSTRUCTIONS
FOR DEFENDANT MARK MYERS

DEFINITIONS AND INSTRUCTIONS

The following instructions and definitions shall be used by you in answering the interrogatories set forth below:

1. The terms "you" and "your" shall include all employees, officers, agents, and/or representatives of the city of SAN MATEO. This includes, but is not limited to, the individual defendants named herein and the city of SAN MATEO Police Department, including any of its employees or any person or entity acting on its behalf.
2. "Person" means any person, corporation, association, firm, partnership, or other business or legal entity, including you, or any one or more of you.
3. The term "document" shall include any and all written or graphic matter, however reproduced, of any kind or description, whether sent, received, or neither, including originals, copies, and drafts, both sides thereof, including but not limited to papers, books, letters, photographs, objects, tangible things, correspondence, telegrams, cables, telex messages, memoranda, notes, notations, work papers, transcripts, minutes, reports, drawings, blueprints, and tape recordings of any type or size, and recordings of telephone or other conversations, or of interviews, conferences, or other meetings, affidavits, statements, summaries, opinions, reports, studies, analyses, evaluations, contracts, agreements, journals, statistical reporters, desk calendars, appointment books, diaries, lists, tabulations, summaries, sound recordings, computer printouts, data processing input and output, microfilms, and all other records kept by electronic, photographic, material, or mechanical means, and things similar to any of the foregoing, however denominated, including investigative reports, test results, videotapes, computer readable media, machine sensible, electronic and/or photographs.
4. The term "possession, custody, or control" shall include in your direct possession, custody, or control, or in the possession, custody, or control of your employees, officers, agents, and/or representatives.
5. The term "incident" refers to the events leading to the death of [Decedent].
6. "Decedent" refers to [Decedent].

7. Whenever in these interrogatories there is a request to specify, identify, or name a natural person or individual, you shall provide that person's:

- (a) full name;
- (b) present residence address (street name and number, city, state, and zip code) and telephone number. If the present address or telephone number are unknown, so state and set forth the last known information;
- (c) present place of employment, position held, business address (street name and number, city, state, and zip code), and telephone number. If any such information is unknown, so state and set forth the last known information; and
- (d) the past and present relationship or connection of such person with the plaintiffs or defendant, if any.

8. When an interrogatory requests you to identify or state the identity of a company, corporation, association, cooperative, partnership, or any other legal entity not a natural person, you shall provide that entity's:

- (a) full name;
- (b) address of principal place of business; and
- (c) legal description (e.g., corporation, partnership, joint venture, etc.) and, if the entity is a corporation, the state of incorporation.

9. When an interrogatory requests you to identify, to state the identify of, or to describe a document, you shall provide:

- (a) the date the document was prepared;
- (b) the date the document bears;
- (c) the identity of the author of the document;
- (d) a description of the document in sufficient detail to enable it to be specifically identified;
- (e) the identity of the person or persons now having custody of the document; and
- (f) the number of pages in the document.

If a document for which identification has been sought has been lost or destroyed, state in addition to the information required pursuant to this identification of that document whether such document was lost or destroyed. If lost, state the circumstances under which such document was lost; and if destroyed, identify each person responsible for or participating in such document's destruction.

10. When an interrogatory requests you to describe something or to state the factual basis of a claim or assertion, you shall provide a reasonably detailed narrative statement setting forth the facts, information, and matters presently available to you

on the matter in question, including, when applicable, all the relevant dates, times, and places, the identity of all parties to the transaction, event, conversation, or occurrence, the identity of the person or persons who participated or were involved therein, the substance thereof, and the principals for whom such person or persons purported to act. When reference is made to a date, time, figure, amount, or geographic area, the answer, when necessary, may reflect that it contains a reasonable approximation.


11. With respect to any definitions set forth above, or to any other word used herein, that you believe is vague and ambiguous, please provide your own definition of the term and answer any interrogatory incorporating the term using your own definition.

12. In answering the interrogatories below, wherever you make a claim of privilege, with respect to each such claim, state the following:

- (a) the privilege claimed; and
- (b) a precise statement of the facts upon which the claim of privilege is based.

13. These interrogatories are continuing in nature; any information responsive to these interrogatories and requests for production discovered after responding to this first set should be included in an additional response at the time the new information is obtained.

DATE: 6-24-08


ARMAND JACKSON